

Form G5 (20200113\_bko)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
Eastern Division

In Re: ) Case Number: 19-28687  
MICHAEL S. HELMSTETTER )

) Chapter: 7

) Honorable Jacqueline Cox

Debtor(s) )

**STIPULATION AND AGREED ORDER DETERMINING OWNERSHIP OF (A) AT LEAST 33% OF SHARES OF STOCK OF KINGDOM CHEVROLET INC., AND (B) SHARES OF SOUTH CHICAGO NISSAN, D/B/A WESTERN AVENUE NISSAN**

THIS CAUSE COMING ON TO BE HEARD ON David R. Herzog, Chapter 7 Trustee's Motion for Entry of Agreed Order Determining Ownership of (A) At Least 33% of the Shares of Stock of Kingdom Chevrolet Inc., And (B) Shares of South Chicago Nissan, d/b/a Western Avenue Nissan, based on the Stipulation of Counsel contained herein, due and proper notice having been served, this Court having jurisdiction over the parties and subject matter hereto, that this Motion constitutes a core proceeding for which the Court may enter a dispositive Order, as well as having the Constitutional authority to enter this order and being fully advised in the premises;

**IT IS HEREBY ORDERED THAT:**

1. The Debtor scheduled ownership of (A) at least 33% of the shares of common stock of Kingdom Chevrolet, Inc., and (B) 25% of the stock of South Chicago Nissan, d/b/a Western Avenue Nissan, as assets of the Debtor owned as of the Petition Date solely by Michael S. Helmstetter and by no other person or entity;
2. Any purported transfer of any one or more shares of Helmstetter's (A) at least 33% of the Kingdom Stock as described in Debtor's Schedules and Statement of Financial Affairs, to (i) Zephyr 2020, Inc., a Nevada corporation solely owned by the Debtor, (ii) the Debtor as trustee of the Helmstetter Family Trust and (iii) the Debtor as trustee of the Helmstetter Childrens' Trust, or to any other person or entity, is a nullity as said transfer was never completed by being registered with the requisite stock registry of Kingdom Chevrolet, Inc., or South Chicago Nissan.
3. The Trustee is the sole owner of (A) at least 33% of the shares of common stock of Kingdom Chevrolet, Inc., and (B) 25% of the stock of South Chicago Nissan, d/b/a Western Avenue Nissan.

**STIPULATED AND AGREED:**

Kingdom Chevrolet Inc., and  
Richard Ruscitti

By: \_\_\_\_\_

Harold D. Israel, Esq.  
Levenfeld Pearlstein, LLC  
2N. LaSalle St., Suite 1300  
Chicago, Illinois 60602

David R. Herzog Michael S. Helmstetter, Debtor and Trustee  
Chapter 7 Trustee of the Helmstetter Family Trust and  
Children's Trust

By: \_\_\_\_\_

Gregory K. Stern, Esq.  
Gregory K. Stern, P.C.  
53 West. Jackson Blvd  
Suite 1442  
Chicago, Illinois 60604

By: \_\_\_\_\_

Richard L. Hirsh, Esq.  
Richard L. Hirsh, P.C.  
1500 Eisenhower LN  
Suite 800  
Lisle, IL 60532

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Enter:

Honorable Jacqueline Cox  
United States Bankruptcy Judge

Dated:

**Prepared by:**

Gregory K. Stern (Atty. ID #6183380)  
Monica C. O'Brien (Atty. ID #6216626)  
Dennis E. Quaid (Atty. ID #02267012)  
Rachel S. Sandler (Atty. ID #6310248)  
53 West Jackson Boulevard  
Suite 1442  
Chicago, Illinois 60604  
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STIPULATED AND AGREED:

Kingdom Chevrolet Inc., and  
Richard Ruscitti

David R. Herzog  
Chapter 7 Trustee  
Michael S. Helmstetter, Debtor and Trustee  
of the Helmstetter Family Trust and  
Children's Trust

By: Harold D. Israel  
Harold D. Israel, Esq.  
Levenfeld Pearlstein, LLC  
2N. LaSalle St., Suite 1300  
Chicago, Illinois 60602

By: \_\_\_\_\_ By: \_\_\_\_\_  
Gregory K. Stern, Esq. Richard L. Hirsh, Esq.  
Gregory K. Stern, P.C. Richard L. Hirsh, P.C.  
53 West. Jackson Blvd 1500 Eisenhower LN  
Suite 1442 Suite 800  
Chicago, Illinois 60604 Lisle, IL 60532

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